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September 28, 2023

VIA ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Samuel Bankman-Fried*, S6 22 Cr. 673 (LAK)

Dear Judge Kaplan:

At the conference earlier today, the Court disclosed that it had been asked by the Government to sign compulsion orders for two witnesses who will be testifying under a grant of immunity. The Court asked defense counsel whether we will require the two witnesses to invoke their Fifth Amendment privilege against self-incrimination in person outside the presence of the jury before the Court signs the compulsion orders. The defense asked for permission to respond to the Court by the end of the day.

We are grateful to the Court for the additional time to respond. We had hoped to speak with our client about this issue today, but we have been unable to contact him in the MDC. We are planning to meet with our client first thing tomorrow morning and can report back to the Court promptly thereafter. We therefore respectfully request the Court to give us until midday tomorrow to respond.

Respectfully submitted,

/s/ Mark S. Cohen
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cc: All counsel of record (via ECF)